

DISPOSITION: 3-24-60. Consent—claimed by J. F. Braun & Sons, New York, N.Y. Segregated; 500 lbs. denatured.

26542. Walnut meats. (F.D.C. No. 43819. S. No. 52-284 P.)

QUANTITY: 11 25-lb. cases at Minneapolis, Minn.

SHIPPED: 10-14-59, from San Jose, Calif.

LBELED: 11-25-59, Dist. Minn.

CHARGE: 402(a) (3)—contained insects while held for sale.

DISPOSITION: 1-15-60. Consent—claimed by Santa Clara Nut Co., San Jose, Calif. Segregated; 4 lbs. destroyed.

26543. Pumpkin seeds. (F.D.C. No. 43980. S. No. 97-404 P.)

QUANTITY: 25 55-lb. boxes at Chicago, Ill.

SHIPPED: 9-4-59, from New York, N.Y.

LBELED: 12-21-59, N. Dist. Ill.

CHARGE: 402(a) (3)—contained insects while held for sale.

DISPOSITION: 1-7-60. Consent—destruction.

OLEOMARGARINE

26544. Oleomargarine. (F.D.C. No. 44383. S. No. 36-455 R.)

QUANTITY: 318 1-lb. pkgs. at Atlantic City, N.J.

SHIPPED: 3-4-60, from Philadelphia, Pa., by C. W. Dunnet & Co.

LABEL IN PART: (Pkg.) "60 Pats Velcrest Margarine * * * Packed by C. W. Dunnet & Company, Philadelphia, Pa. * * * prepared from: hardened cottonseed and soybean oils, dried skim milk, water, salt, lecithin, mono and diglycerides and sodium sulfoacetate derivatives thereof, vitamin A added."

RESULTS OF INVESTIGATION: Examination showed the presence of sodium benzoate, an undeclared chemical preservative.

LBELED: 3-23-60, Dist. N.J.

CHARGE: 403(g) (2)—when shipped, the label failed to bear, as required by the definition and standard of identity for margarine, the common name of the optional ingredient, sodium benzoate, present in the article; and 403(k)—contained sodium benzoate, a chemical preservative, and it failed to bear labeling stating that fact.

DISPOSITION: 5-11-60. Default—delivered to a charitable institution.

VITAMIN, MINERAL, AND OTHER PRODUCTS OF SPECIAL DIETARY SIGNIFICANCE*

26545. Vitamin B complex tablets. (F.D.C. No. 44175. S. No. 85-340 P.)

QUANTITY: 3 drums, 50,000 tablets total, and 200 50-tablet btl., at Edgewater, N.J., in possession of Excel Pharmacal Co.

SHIPPED: May 1959, from New York, N.Y., by Excel Pharmacal Co.

LABEL IN PART: (Drum) "Keto B Complex"; and (btl.) "Keto Vitamin B Complex Control No. 22 Keto Chemical Co., Inc. * * * New York * * * Each Tablet Provides: 333 International Units B₁ 2000 micrograms B₂ 125 micrograms B₆ 600 micrograms Pantothenic Acid 10 milligrams Nicotinic Acid

*See also No. 26458.

Plus all other factors of the Vitamin B Complex as extracted from brewer's yeast."

RESULTS OF INVESTIGATION: Analysis showed that the article contained approximately 50 percent of the declared amount of vitamin B₁ and approximately 88 percent of the declared amount of vitamin B₂. The article in the bottles was repacked by the dealer from bulk stock shipped as described above and the article in the drums was intended to be repackaged into bottles labeled as described above.

LIBELED: 1-11-60, Dist. N.J.

CHARGE: 402(b)(1)—while held for sale, the valuable constituents of the article (bulk and repacked) namely, vitamin B₁ and vitamin B₂, had been in part omitted or abstracted from the article; 403(a)—while held for sale, the label statement "Each tablet provides: 333 International Units B₁ 2000 micrograms B₂" was false and misleading; and 403(j)—when shipped, and while held for sale, the article (bulk and repacked) purported to be and was represented as a food for special dietary uses by reason of its vitamin content and its label failed to bear, as required by regulations, a statement of the proportion of the minimum daily requirement for vitamin B₁, vitamin B₂, and nicotinic acid supplied by such food when consumed in a specified quantity during a period of one day, and since the need for pantothenic acid in human nutrition has not been established, its label failed to bear the statement "The need for pantothenic acid in human nutrition has not been established."

DISPOSITION: 2-23-60. Default—delivered to charitable institutions.

26546. Vitamin capsules. (F.D.C. No. 43273. S. No. 49-436 P.)

QUANTITY: 207 31-capsule btl. at Seattle, Wash.

SHIPPED: 3-1-56, from Chicago, Ill.

RESULTS OF INVESTIGATION: Examination showed that the article contained approximately 60 percent of the declared amount of vitamin B₁₂ and approximately 79 percent of the declared amount of vitamin C.

LIBELED: 6-22-59, W. Dist. Wash.

CHARGE: 402(b)(1)—while held for sale, the valuable constituents, vitamin B₁₂ and vitamin C, had been in part omitted or abstracted from the article; and 403(a)—the label statement " * * * 5.00 mcg. Vitamin B₁₂ * * * 50.00 mg. Vitamin C * * *" was false and misleading.

DISPOSITION: 8-3-59. Default—destruction.

26547. Vitamin-mineral candy. (F.D.C. No. 43931. S. No. 85-322 P.)

QUANTITY: 43 ctns., each containing 12 individually cartoned btl., at New York, N.Y., in possession of Columbia Medical Co.

SHIPPED: 3-13-59, from Jersey City, N.J., by Bergen Pharmacal Co., Inc.

LABEL IN PART: (Btl. and ctn.) "Sixty Columbia Fruitti Vites The Vitamin-Mineral Candy For Children. A dietary supplement containing 11 vitamins and 11 minerals, specially prepared to taste like candy. Columbia Medical Company Distributors, New York, N.Y. Two Fruitti-Vites contain: * * * Vitamin D (Synthetic) 500 U.S.P. Units."

ACCOMPANYING LABELING: A number of loose labels as described above.